

PROB 12B
(7/93)

United States District Court

for

District of New Jersey

Request for Modifying the Conditions or Term of Supervision

with Consent of the Offender

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Fugate, India

Cr.: 2:08-327(SRC)(22)

PACTS Number: 51738

Name of Sentencing Judicial Officer: Honorable Stanley R. Chesler

Date of Original Sentence: 10/18/10

Original Offense: Conspiracy to commit wire fraud bar code scheme, conspiracy to commit wife fraud credit card scheme.

Original Sentence: Six months custody in the bureau of prisons, four years supervised release, mental health treatment and six months location monitoring.

Type of Supervision: Supervised release

Date Supervision Commenced: 05/20/11

PETITIONING THE COURT

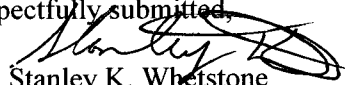
- ☐ To extend the term of supervision for _____ Years, for a total term of _____ Years.
☒ To modify the conditions of supervision as follows. The addition of the following special condition(s):

Due to her arrest on June 6, 2011, the offender will be referred to participate in anger management counseling. Ms. Fugate agrees with our recommendation, signing the Form 49, Waiver of Hearing.

CAUSE

On June 6, 2011, the offender was arrested by Irvington Police Department and charged with simple assault after a physical altercation with her daughter's father, Quinton Peirce. She was released the same day on her own recognizance. A hearing is scheduled for June 21, 2011.

Respectfully submitted,

By: 
Stanley K. Whetstone
Senior U.S. Probation Officer

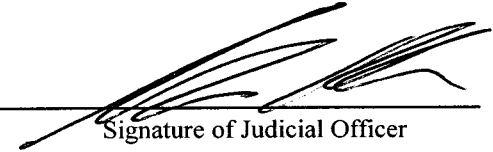
Date: 6/16/11

THE COURT ORDERS:

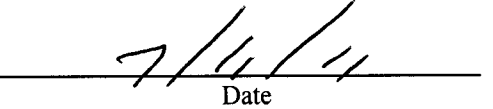
- ☒ The Modification of Conditions as Noted Above
☐ The Extension of Supervision as Noted Above
☐ No Action

PROB 12B - Page 2
Fugate, India

[] Other



Signature of Judicial Officer



Date

PROB 49
(3/89)

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW JERSEY**

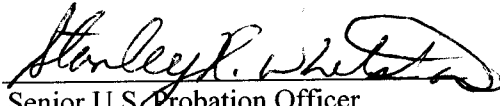
**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

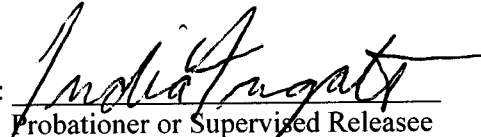
I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The offender has agreed to participate in anger management counseling, due to her being arrested on June 6, 2011, by the Irvington Police Department and charged with simple assault, after a physical altercation at her residence with her daughter's father.

Witness:


Senior U.S. Probation Officer
Stanley K. Whetstone

Signed:


Probationer or Supervised Releasee
Fugate, India

6/15/11
DATE

UNITED STATES DISTRICT COURT
PROBATION OFFICE
DISTRICT OF NEW JERSEY

CHRISTOPHER MALONEY
CHIEF PROBATION OFFICER

WILFREDO TORRES
SENIOR DEPUTY CHIEF PROBATION OFFICER

DEPUTY CHIEF PROBATION OFFICER
THOMAS C. MILLER

June 20, 2011

SUPERVISION UNIT
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The Honorable Stanley R. Chesler
United States District Judge
Martin Luther King, Jr. Federal Building & Courthouse
PO Box 0999
Newark, NJ 7102-0999

Re: Fugate, India
Dkt.#: CR 2:08-327(SRC)(22)
Notice of New Arrest/Request to Modify the
special conditions of supervised release

Dear Judge Chessler:

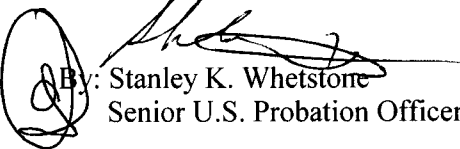
On October 18, 2010, the above-mentioned offender was sentenced by Your Honor on a charge of conspiracy to commit wire fraud in a bar code label scheme and conspiracy to commit wire fraud in a credit card scheme. She was ordered to serve a six-month term in the custody of the Bureau of Prisons, followed by a four-year term of supervised release. Special conditions imposed were: six months location monitoring and mental health treatment. A \$100 special assessment was also imposed.

On June 6, 2011, this officer received an alert from the location monitoring service at 5:37pm, stating the offender left her home without authorization. Contact was made with the offender who stated she was arrested by the Irvington Police Department, and charged with simple assault, because of an altercation with her daughter's father, Quinton Pierce. Ms. Fugate was released the same date on her own recognizance. A hearing is scheduled for June 21, 2011. We will notify the Court immediately of the outcome. The offender will be referred for anger management counseling to address her non-compliance. Fugate agrees with our recommendation, and has signed the enclosed Form 49, Waiver of a Hearing. If the Court is in agreement with our recommendation, please sign the attached form 12B.

If the Your Honor has any questions or requires more information, please contact the undersigned officer at 973-223-0694.

Respectfully submitted,

WILFREDO TORRES, Chief
U.S. Probation Officer


By: Stanley K. Whetstone
Senior U.S. Probation Officer